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APPL NO. | FILING OR 371 | ART LINIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS | 10/805,580 | 03/20/2004 | 1661 | 530 | 1 1 1 1

Catherine Anne Whealy Proprietary Rights International P.O. Box 220 Tolar, TX 76476 **CONFIRMATION NO. 1405**

FILING RECEIPT

OC000000012880419

Date Mailed: 06/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filling Receipt, please write to the Office of Initial Patent Examination's Filling Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filling Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filling Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filling Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Heinrich Westhoff, Sudlohn, GERMANY;

Assignment For Published Patent Application

Josef and Heinrich Westhoff Gartenbau-Spezialkulturen, Sudlohn, GERMANY;

Domestic Priority data as claimed by applicant

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 2003/0197 02/03/2003

If Required, Foreign Filing License Granted: 06/04/2004

Projected Publication Date: 09/16/2004

Non-Publication Request: No.

Early Publication Request: No

Title

Lobelia plant named 'Weslolay'

Cflank-you!

Pegnot for with Mon Publication with Was plication. The application of hings the correct files. 17469195* CSID:12548343571* DURATION (mm.ss)*01.29

PAGE 1/4 * RCVD AT 6/10/2004 11:44:50 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/1 * DNIS:7469195 * CSID:12548343571 * DURATION (mm-ss):01-32

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UNITED STATES DEPARTMENT OF COMMERCE PATENT OFFICE

Receipt is acknowledged of the Plant Patent Application below via Express Mail. It will be considered in its order and you will be notified to its examination.

Commissioner of United States Patent & Tr

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GROUP NU	FILIN	G DATE	050				
APPLICANT: HEINRICH WESTHOFF 17302 U.S.PTO TITLE: LOBELIA PLANT NAMED 'WESLOLAV'							
Pages of Description Claim, & Abstract	Sheets of Photos	Declar.	Assign.	Nonpublication Request	Filing Fee, Assignment Recordation		
15	1	YES	YES	YES	Fee \$570.00		

PAGE 2/4 * RCVD AT 6/10/2004 11:44:50 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/1 * DNIS:7469195 * CSID:12548343571 * DURATION (mm-ss):01-32

PATENT APPLICATION TRANSMITTAL LETTER & FORM FOR EXPRESS MAIL CERTIFICATION

EXPRESS MAIL LABEL NUMBER: DATE OF DEPOSIT:

ET 593534485 US MARCH 20, 2004

The Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

Dear Commissioner:

I hereby certify that the attached U.S. Plant Patent Application including the items listed below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner of Patents, Alexandria, Virginia 22313-1450. Transmitted herewith for filing under 35 U.S.C. §111 and 37 CFR §1.53 is the plant patent application of:

INVENTOR: TITLE:

HEINRICH WESTHOFF

LOBELIA PLANT NAMED 'WESLOLAV'

In connection with this application, the following are enclosed:

- 15 Pages of written description, claims and abstract.
- 1 Sheet of photographs, in color, in duplicate, as required by Rule 165.
- 1 Executed Declaration of the Inventor including Authorization of Agent.
- Assignment of the Invention to Josef und Heinrich Westhoff Gartenbau-Spezialkulturen of Südlohn, Germany.
- Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
- 1 Check in the amount of \$570.00 U.S. for the required U.S. Plant Patent application filing fee (\$530.00) and Assignment Recordation fee (\$40.00).

Respectfully submitted,

Catherine Anne Whealy Registration No. 39,419

P.O. Box 220

Tolar, Texas 76476 TEL: 1-254-835-5150

NONPUBLICATION REQUEST UNDER	First Named Inventor	WESTHOFF, Heinrich
35 U.S.C. 122(b)(2)(B)(i)	Title	Lobelia Plant Named 'WESLOLAV'

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Signed: Mirich Wolm Date: 11th nov 200

Name: HEINRICH WESTHOFI, Applicant

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent & Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).